

Remarks

Claims 1-6, 9-19, and 22-33 are pending in the present application and are rejected.

Claims 13, 25, and 29 are cancelled.

New claim 34 is presented for Examination.

Claim 1 is amended to include the limitations of claim 13. Claim 1 is further amended to delete "wherein" after "acrylated monomer." Claim 16 is amended to include the limitations of claim 25. Claim 28 is amended to include the limitations of claim 29 less the limitations regarding the talc. Claim 28 is amended to insert "an" is "amine functional acrylate co-initiator." Claim 28 is further amended to include "the acrylated oligomer is present in an amount from about 1 weight percent to about 30 weight percent of the total weight of the photocurable composition." Claim 33 is amended to replace "comprising" with "consisting essentially of." Claims 1, 16, and 28 are further amended to make it clear that the weight percentages are with respect to the total weight of the photocurable composition. Claims 1, 28, and 33 are also amended to clarify the comparison of viscosities in these claims is clear. Claims 18 and 19 are amended to remove some unnecessary verbage. Claim 30 is amended to depend from claim 28. This latter amendment is present because of an incorrect claim designation in the previous amendments. Claim 30 is further amended such that the photocurable composition further comprises "a component selected from a pigment, a flow promoting agent, and mixtures thereof." Claim 3 is amended to insert "an" before "aliphatic urethane acrylate."

Claim Objections

Claims 1 is amended to include the limitations of claim 13. Claim 33 is amended to replace “comprising” with “consisting essentially of.” Accordingly, claims 1 is no longer a substantial duplicate of claim 33.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-6, 9-11, 13-19 and 22-33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shustack, U.S. Patent No. 5,128,387 in view of Shaw et al., U.S. Patent No. 5,440,446.

As set forth above, claim 1 is amended to include the limitations of claim 13. Claim 16 is amended to include the limitations of claim 25. Claim 28 is amended to include the limitations of claim 29 less the limitation regarding the talc. Applicant respectfully asserts that none of the references cited by the Examiner provide the combination of weight percentages required by independent claims 1, 13, and 28. For example, the weight percentage of the amine functional acrylate co-initiator from about 1 weight percent to about 10 weight percent in combination with the percentages of the other components is not disclosed in any of the references. As amended, independent claims 1, 16, and 28 are now allowable.

Claim 33 is amended to use the transition “consisting essentially of.” Each of the cited references admits the possibility of additional ingredients. Therefore, claim 33 is independently patentable.

Accordingly, for at least these reasons, 1-6, 9-11, 13-19 and 22-33 are patentable under 35 U.S.C. § 103(a) as over Shustack in view of Shaw et.

Double Patenting Rejection

Claims 1-6, 9-19 and 22-33 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-13, 15-25 and 27-30 of co-pending Application Serial No. 10/703,938.

Upon indication of allowable subject matter but for the double patenting rejection, Applicant will execute a suitable Terminal Disclaimer.

Conclusion

Applicant has made a genuine effort to respond to each of the Examiner's objections and rejections in advancing the prosecution of this case. Applicant believes that all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. If any additional issues need to be resolved, the Examiner is invited to contact the undersigned at his earliest convenience.

Paid herewith is the one month extension fee of \$60.00. Please charge any additional fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978.

Respectfully submitted,

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